Glen J. Knight (Deputy Public Prosecutor) for the respondent.

Wee Chong Jin C.J. (delivering oral judgment): So far as I am concerned I would adopt in the case of offences under the Firearms Act, possession of firearms and of ammunition, the broader approach that is referred to by the Chief Justice of England in the 1972 case, *John Alistair Faulkner*,[1] the first one cited to me, in considering whether or not having regard to these two offences, possession of firearms and of some rounds of ammunition, the aggregate sentence of 6 years, the effect of the consecutive sentence, was much too much. I do not think so. The fact that the District Court was limited by law, which is not the same as the maximum which is permissible under the Firearms Act itself, to imposing a term of imprisonment for 3 years in respect of each offence whether under the Firearms Act or under any other criminal law does not make it a sufficient ground for me to say that the sentence in this particular case, the consecutive sentence, was wrong in principle.

The appeal must be dismissed.

Appeal dismissed.

Solicitors: *David Marshall.*

LAW SOCIETY OF SINGAPORE v. V. K. S. NARAYANAN

[O.C.J. (Wee Chong Jin C.J., Winslow & Tan Ah Tah JJ.) July 4, 1974]

[Singapore — Originating Summons No. 104 of 1974]

Advocates & Solicitors — Disciplinary proceedings — Striking off the roll — Criminal offence — "a defect of character which makes him unfit for the profession" — Legal Profession Act (Cap. 217), s. 84(2)(a).

The respondent, an advocate and solicitor had been convicted on two charges under the Companies Act (Cap. 185) and was sentenced to a term of imprisonment. Disciplinary proceedings were commenced and he appeared before the Court to show cause why he should not be dealt with under section 84(2)(a) in that he had been convicted of a criminal offence, implying a defect of character which made him unfit for the profession.

Held: on the facts the respondent had acted dishonestly in relation to the transactions in question. The criminal offences of which he had been convicted implied "a defect of character which makes him unfit for the profession." Accordingly the respondent should be struck off the roll of advocates and solicitors.

ORIGINATING SUMMONS.

Sachi Saurajen for the applicants.

L. A. J. Smith for the respondent.

Wee Chong Jin C.J. (delivering oral judgment): The respondent is an advocate and solicitor of the Supreme Court. Last year he was charged and convicted on his guilty plea on two charges of offences under section 131 subsection (1) of the Companies Act and sentenced to a term of imprisonment in respect of each charge. Disciplinary proceedings were commenced and as a result he now appears before us to show cause why he should not be dealt with under section 84 of the Legal Profession Act, in particular section 84(2)(a) in that he had been convicted of a criminal offence, implying a defect of character which makes him unfit for the profession.

At the time of the commission of the two offences the respondent was the chairman of a limited liability company and in respect of one of the charges he was still holding a practising certificate but in respect of the other charge he had ceased to be in active practice. The two charges arose out of two transactions in which the company, of which he was the chairman of the board of directors, purchased two pieces of land. The transactions were substantial transactions. In relation thereto the undisputed facts disclosed that he had an interest in both of them in that he would receive substantial sums of money totalling approximately $140,000 and this amount would come from the purchase prices paid by the company. He knew that the vendor in respect of each transaction was prepared to sell at a price lower than the price which he had told the managing director of his company was the vendor's selling price. Part of the difference would go into his pocket. He did not disclose these facts to the board of directors at a board meeting. The Disciplinary Committee which investigated into the matter also rejected his evidence that he had earlier informed the managing director that he would be making a personal profit out of each of these two transactions.

In our judgment all these facts clearly show that he had acted dishonestly in relation to these two transactions. The criminal offences of which the respondent has been convicted clearly imply, in the words of section 84(2)(a) of the Legal Profession Act, "a defect of character which makes him unfit for the profession".

Before us, through his counsel, he has not sought to argue otherwise. We have been addressed only in mitigation. While there are some mitigating factors we do not consider suspension as provided under section 84 of the Legal Profession Act to be an appropriate order as our power of suspension is limited to a maximum period of two years. Accordingly we order that the respondent be struck off the roll and pay the costs of this application and of all the proceedings prior thereto.

Order accordingly.